REMARKS

Claims 1-4, 6-9, 11-14, 16-25, 27-32, 34-37, 39-41 and 43-47 are pending. Claims 1-4, 6-9, 11-14, 16-25, 27-32, 34-37, 39-41 and 43-47 have been rejected. No claims have been allowed. Claims 1, 31 and 36 have been amended. No claims have been canceled or added.

I.   Responses to Arguments

The Final Office Action initially addresses several arguments presented in Applicants' Response of 16 August 2006. In particular, the Final Office Action states, "It is the examiner's position that the recitation of gaming machine in claim 31 represents an intended use [that] . . . is not afford[ed] the effect of a distinguishing limitation unless the body of the claim sets forth structure that refers back to it." Applicants respectfully disagree and submit that the nature of this claim preamble law has been misapplied to this claim, which simply and concisely begins "A gaming machine, comprising." Nevertheless, Applicants have amended claim 31 to add material to the body of the claim to reflect that a gaming machine is indeed the subject of this claim. It is respectfully submitted that the scope of this claim has not been altered thereby, and that this claim remains in condition for allowance.

In addition, the Final Office Action responds to Applicants' arguments by stating, "Bonder teaches . . . RAM 44 [that] is not attached to the key and is therefore not at the location of the key." Applicants respectfully disagree, and direct attention to Bonder at col. 4 lines 17-20, col. 6 lines 19-20 and FIG. 4. In particular, Bonder states at col. 4, "The intelligent key 11 includes all electronic components and functions necessary to scan a fingerprint, analyze and correlate the fingerprint data with data on one or more fingerprints *previously stored on a memory therein*" (emphasis added), and at col. 6, "FIG. 4 illustrates a functional block diagram

of the internal electronic components of the intelligent key 11." FIG. 4 then shows RAM 44 at a block connected to and located between scanner 37 and electrical contacts 17, which are both described in numerous places to be on key 11. Accordingly, Applicants respectfully submit that RAM 44 of Bonder is indeed a part of its key, and that Bonder simply does not teach biometric data that is located or analyzed separately from its key.

In order to expedite prosecution, claims 1 and 36 have been amended to add similar elements for "analyzing said second source of indicia with respect to a stored biometric information file at a location separate from said key." It is respectfully submitted that such amendments do not present new issues for review, since such elements are already present in existing claims, and it is thus respectfully submitted that these amendments be entered.

Further, the Final Office Action responds to Applicants' arguments by stating, "Gatto teaches gaming machine in connection with a computer server." However, Applicants do not assert that they have invented the association of a computer server with a gaming machine, and acknowledge that such a general association is well known. Rather, Applicants have claimed, "*A universal key security system*, comprising: at least one computer server . . ." (emphasis added). Applicants respectfully submit that Gatto does not teach a universal key security system, and that its servers are not associated with its gaming machines for the purpose of providing remotely stored and controlled files and analysis functions for such a system. As such, Applicants respectfully resubmit their previous assertion that neither Gatto nor any other recited reference teaches "A universal key security system, comprising: at least one computer server."

Applicants additionally note that it appears that insufficient consideration has been given to the elements of the pending claims that require a separate server based storage, analysis and/or authorization of keyed access to secured environments based upon the biometric indicia of a

user, particularly where such secured environments are within a gaming machine. Applicants note that the present claims have been carefully drafted and amended in this regard, earnestly request that such consideration be given, and respectfully submit that the prior art does not teach such a server based system for keyed access to secured environments based upon the biometric indicia of a user, particularly with respect to gaming machines.

II.   Claim Rejections under 35 U.S.C. § 102

Claims 11-14, 16, 18, 20, 24-25, 27-32 and 34 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,078,265 to Bonder, et al. ("Bonder"). Applicants respectfully traverse.

Applicants respectfully reference the above remarks regarding the intelligent key 11 of Bonder. In order to anticipate a claim, a reference must teach or suggest every element of that claim. Independent claim 31 is directed to and recites: "A gaming machine," and for the sake of clarity has been amended to note that its "at least one key accessible region" contains "one or more internal gaming machine components adapted for use in the acceptance of a wager, the play of a game, the granting of an award, or any combination thereof." Applicants respectfully submit that Bonder does not teach or suggest a gaming machine. Accordingly, Bonder cannot be said to anticipate claim 31. Because claims 32 and 34 both depend from claim 31, Bonder cannot be said to anticipate these claims as well. Applicants thus respectfully request withdrawal of the pending § 102 rejections for claims 31, 32 and 34 for at least this reason.

Independent claim 29 recites, "a locking means . . . adapted to deny access to said key accessible environment unless two separate sources of indicia *are read and confirmed by said locking means,* wherein at least one of said two separate sources of indicia includes biometric

information specific to one or more users of said locking means" (emphasis added). As noted above and also in Applicants' prior response, Bonder does not teach a locking means that reads and confirms two separate sources of indicia. Rather, Bonder teaches an "intelligent key" that is adapted to read and confirm a fingerprint source of indicia. This intelligent key is separate from the "locking means" of Bonder, however, and the present claim 29 is directed only toward a "locking means," which is inherently separate from the actual key. Furthermore, Applicants note that claim 29 is written in "means plus function" format, meaning that this claim must be interpreted in a manner consistent with the support for such claim elements that are taught in the present specification.

Similarly, independent claims 11 and 24 recite elements for "analyzing said second source of indicia with respect to a stored biometric information file at a location separate from said key" and "an approval mechanism adapted to compare said biometric information with data stored separately from said mechanical key, wherein said approval mechanism is located separately from said mechanical key." Applicants respectfully resubmit that these claim elements also distinguish over Bonder at least for the reason that Bonder teaches an "intelligent key" that reads, analyzes and validates fingerprint data by itself, with such validation not being done remotely from the key. Accordingly, Bonder cannot be said to anticipate claims 11, 24 and 29 for at least the foregoing reasons. Because claims 12-14, 16, 18, 20, 25, 27-28 and 30 all depend from one of claims 11, 24 and 29, Bonder cannot be said to anticipate these claims either. Applicants respectfully request withdrawal of the pending § 102 rejections for claims 11-14, 16, 18, 20, 24-25, and 27-30 for at least these reasons.

III. Claim Rejections under 35 U.S.C. § 103

Claims 1-3, 36-37 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,439,996 to LeMay, et al. ("LeMay") in view of Bonder and further in view of U.S. Patent No. 6,374,653 to Gokcebay, et al. ("Gokcebay"). In addition, claims 4 and 6-9 stand rejected as being unpatentable over LeMay in view of Bonder in view of Gokcebay and further in view of U.S. Patent No. 6,709,333 to Bradford, et al. ("Bradford"). Claims 17 stands rejected over Bonder in view of Bradford. Claim 19 and 21-22 stands rejected over Bonder in view of Gokcebay. Claim 23 stands rejected over Bonder in view of LeMay. Claim 40 stands rejected over LeMay and Bonder and Gokcebay and further in view of Bradford. Claims 41, 43-44 and 45-47 stand rejected over LeMay in view of U.S. Patent No. 6,945,870 to Gatto, et al. ("Gatto") and further in view of Bonder. Applicants respectfully traverse these rejections.

To establish a *prima facie* case of obviousness, a proffered combination of prior art references must teach or suggest all of the claim limitations. *See, e.g.*, MPEP § 2143. In addition, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or combine reference teachings. *See id*. Applicants respectfully submit that these requirements are not both met in any of the obviousness rejections as set forth in the Office Action, and as such incorporate the prior remarks made in this regard from Applicants' Responses of 29 March and 16 August 2006. In particular, Applicants respectfully submit that numerous non-analogous references have been combined to make many of the pending obviousness rejections, and that no proper motivation has been provided to combine all of these non-analogous references.

Furthermore, a purported combination of references must teach or suggest every element of a claim in order for an obviousness rejection to be proper. Many of the pending claims have

elements that have not been shown to be present in the recited combinations of references. For example, independent claim 41 recites, "A universal key security system, comprising: at least one computer server." However, no recited reference teaches "a universal key security system comprising at least one computer server," and nothing in Bonder, Gatto or any other reference suggests that such a universal key security system should have a computer server, much less an associated database adapted to store user files, a server functionality to provide an authorization signal, or a server functionality to provide verification of user biometric information, as set forth in the claims depending from claim 41. As noted above, Bonder teaches that such functionalities are provided solely within the key itself, and Bonder does not teach or suggest a separate outside computer server or database to be used with such a reading, verification and authorization process. Applicants thus respectfully submit that *each* of claims 41 and 43-47 recite individual elements that are clearly patentably distinct over the prior art of record, and accordingly request withdrawal of the rejections for each of these claims.

Although Applicants do traverse these pending rejections, independent claims 1 and 36 have been amended in order to expedite prosecution. In particular, both of these claims have been amended to add the step of "analyzing said second source of indicia with respect to a stored biometric information file at a location separate from said key." As in the case of other claims having similar elements, it is respectfully submitted that nothing in the recited prior art teaches such a step of analyzing such biometric information at a location separate from the key. It is thus respectfully submitted that claims 1, 36 and all claims depending therefrom are patentable over the recited prior art for at least this reason.

CONCLUSION

Applicants respectfully submit that all claims are in proper form and condition for patentability, and request a Notification of Allowance to that effect. It is believed that no fees are due at this time. Should any fee be required for any reason related to this document or application, however, then the Commissioner is hereby authorized to charge said fee to Deposit Account No.50-0388, referencing Docket No. IGT1P102. The Examiner is respectfully requested to contact the undersigned attorney at the telephone number below with any questions or concerns relating to this document or application.

Respectfully Submitted,
BEYER WEAVER & THOMAS, LLP

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Beyer, Weaver & Thomas LLP
P.O. Box 70250
Oakland, CA 94612-0250
(650) 961-8300

/justinwhite/
Justin A. White, Esq.
Reg. No. 48,883